IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8206 OF 2006

Sanjay B. Shirtode ....Petitioner
V/s.
The Divisional Commissioner, Pune Division, Pune & Ors. ....Respondents

Mr.Dilip Bodake for the Petitioner.
Mrs.V.S. Mhaispurkar, AGP for Respondent Nos.1 to 3.

CORAM : S.J. VAZIFDAR, J.
DATED : 12TH JANUARY, 2007.

P.C. :

1. No interference under Article 227 of the Constitution of India is called for. No confidence motion was passed by majority of 14 x 1 against the Petitioner who was the Deputy Sarpanch. The Appeal before the Commissioner was dismissed by a reasoned order which is impugned in this Writ Petition. It is contended that the Appeal ought to have been dismissed for default as of today because the Petitioner remained absent.

2. Be that as it may even on merits the invocation of the powers under Article 226 of the Constitution of India is not called for. Only technical argument is that the vote was counted not by show of hands but by ballot.

3. The Writ Petition is accordingly dismissed.